

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 04-cr-10360

United States of America

v.

Carlos Medina

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 9/27/05.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on October 13, 2005.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 10/14/05.


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL, CLOSED

**United States District Court
District of Massachusetts (Boston)
CRIMINAL DOCKET FOR CASE #: 1:04-cr-10360-DPW-ALL**

Case title: USA v. Medina

Date Filed: 12/08/2004

Assigned to: Judge Douglas
P. Woodlock

Defendant

Carlos Medina (1)
TERMINATED: 08/25/2005

represented by **J. Martin Richey**
Federal Defender's Office
408 Atlantic Avenue
Third Floor
Boston, MA 02110
617-223-8061
Fax: 617-223-8080
Email: martin_richey@fd.org
LEAD ATTORNEY
ATTORNEY TO BE
NOTICED
*Designation: Public Defender
or Community Defender
Appointment*

Pending Counts

18:922(g)(1) Felon in
Possession of a Firearm
(1)

Disposition

Defendant sentenced to TIME
SERVED; Supervised
Release for a term of 36
months; standard and special
conditions; Special
assessment of \$100; no fine.

Highest Offense Level
(Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **James F. Lang**
 United States Attorney's
 Office
 Suite 9200
 1 Courthouse Way
 Boston, MA 02210
 617-748-3175
 Fax: 617-748-3954
 Email: james.lang@usdoj.gov

LEAD ATTORNEY
ATTORNEY TO BE
NOTICED

Date Filed	#	Docket Text
12/08/2004	<u>1</u>	SEALED INDICTMENT as to Carlos Medina (1) count(s) 1. (Gawlik, Cathy) (Entered: 12/09/2004)

12/08/2004	•	Judge Lawrence P. Cohen : ORDER entered granting <u>2</u> Motion to Seal Case as to Carlos Medina (1) (Gawlik, Cathy) (Entered: 12/09/2004)
12/08/2004	•3	Judge Douglas P. Woodlock : ORDER entered ORDER REFERRING CASE to Magistrate Judge Marianne B. Bowler Reason for referral: pretrial proceedings as to Carlos Medina (Gawlik, Cathy) (Entered: 12/09/2004)
12/08/2004	•	Arrest Warrant Issued as to Carlos Medina. (Gawlik, Cathy) (Entered: 12/09/2004)
12/08/2004	•10	Arrest Warrant Returned Executed on 12/15/04. as to Carlos Medina. (Nici, Richard) (Entered: 01/03/2005)
12/09/2004	•2	MOTION to Seal Case as to Carlos Medina by USA. (Gawlik, Cathy) (Entered: 12/09/2004)
12/15/2004	•4	MOTION to Unseal Case as to Carlos Medina by USA. (Smith3, Dianne) (Entered: 12/15/2004)
12/15/2004	•	Judge Marianne B. Bowler : Endorsement on motion ORDER entered granting <u>4</u> Motion to Unseal Case as to Carlos Medina (1) (Smith3, Dianne) (Entered: 12/15/2004)
12/15/2004	•5	MOTION to Amend indictment for ministerial error as to Carlos Medina by USA. (Nici, Richard) (Entered: 12/16/2004)
12/15/2004	•6	CJA 23 Financial Affidavit by Carlos Medina (Saccoccio, Dianalynn) (Entered: 12/16/2004)
12/15/2004	•	Electronic Clerk's Notes for proceedings held before Magistrate Judge Marianne B. Bowler: Initial appearance for Carlos Medina held on 12/15/2004; James Lang for the govt. and Martin Richey for the deft.; Deft. informed of charges, rights and right to counsel; Deft. completes financial affidavit and the court orders appointment of counsel forthwith; Deft. is sworn and questioned by the court; Govt. moves for

		detention and a continuance; Detention and arraignment are set for 12/17/2004 at 10:00 AM; Deft. remanded to the custody of the U.S. Marshals. (Tape #Digital.) (Saccoccio, Dianalynn) (Entered: 12/16/2004)
12/15/2004	27	Magistrate Judge Marianne B. Bowler: ORDER entered: ORDER APPOINTING FEDERAL PUBLIC DEFENDER for Carlos Medina; J. Martin Richey for Carlos Medina appointed. (Saccoccio, Dianalynn) (Entered: 12/16/2004)
12/17/2004	28	Electronic Clerk's Notes for proceedings held before Magistrate Judge Marianne B. Bowler: Arraignment for Carlos Medina (1) Count 1 held on 12/17/2004; James Lang for the govt. and Martin Richey for the deft.; September Brown for Pretrial Services; Deft. waives the reading of the indictment in its entirety and pleads not guilty; Govt. anticipates six witnesses and the length of trial to be approximately three days; Govt. does not move for detention and recommends that the deft. is released on the conditions set forth in the pretrial report; Deft. is released on conditions; Initial status conference is set for 1/28/2005 at 10:30 AM. (Tape #Digital.) (Saccoccio, Dianalynn) (Entered: 12/17/2004)
12/17/2004	29	Judge Marianne B. Bowler: Electronic ORDER entered granting <u>5</u> Motion to Amend as to Carlos Medina(1), defense counsel having stated in open court that he does not oppose the motion. (Bowler, Marianne) (Entered: 12/17/2004)
12/17/2004	30	Unsecured Bond entered for Carlos Medina in the amount of \$ 10,000.00. (Saccoccio, Dianalynn) (Entered: 12/27/2004)
12/17/2004	31	Magistrate Judge Marianne B. Bowler: ORDER entered; Order Setting Conditions of Release (Saccoccio, Dianalynn) (Entered: 12/27/2004)

01/28/2005	● <u>11</u> e	First MOTION for Excludable Delay to as to Carlos Medinaby USA. (Lang, James) Additional attachment (s) added on 1/31/2005 (Nici, Richard). (Entered: 01/28/2005)
01/28/2005	●	Electronic clerk's notes for proceedings held before Magistrate Judge Marianne B. Bowler: Initial status conference for Carlos Medina held on 1/28/2005; James Lang for the govt. and Martin Richey for the deft.; Counsel for the deft. requests additional time and the govt. is amenable; Interim status is set for 3/16/2005 at 2:00 PM; Parties agree to exclude the time from today to 3/16/2005 and the govt. will file the assented to motion to exclude the time. (Tape #Digital.) (Saccoccio, Dianalynn) (Entered: 01/31/2005)
01/31/2005	●	Judge Marianne B. Bowler: Electronic ORDER entered granting <u>11</u> Motion to Exclude as to Carlos Medina(1). (Bowler, Marianne) (Entered: 01/31/2005)
03/01/2005	●	Set/Reset Hearings for Carlos Medina: Interim status conference set for 3/16/2005 at 3:00 PM in Courtroom 25 before Magistrate Judge Marianne B. Bowler; PLEASE NOTE: TIME CHANGE ONLY. (Saccoccio, Dianalynn) (Entered: 03/01/2005)
03/11/2005	●	Set/Reset Hearings for Carlos Medina: Interim status conference reset for 3/15/2005 at 2:45 PM in Courtroom 25 before Magistrate Judge Marianne B. Bowler; PLEASE NOTE: DATE AND TIME CHANGE. (Saccoccio, Dianalynn) (Entered: 03/11/2005)
03/15/2005	●	Electronic clerk's notes for proceedings held before Magistrate Judge Marianne B. Bowler: Interim status conference for Carlos Medina held on 3/15/2005; James Lang for the govt. and Martin Richey for the deft.; Counsel for deft. requests a final status conference set for 4/4/2005 and the govt. is amenable

		to the request; A final status conference is set for 4/4/2005 at 2:30 PM; Parties agree to exclude the time from today to 4/4/2005 and the govt. will file an assented to motion to exclude the time. (Tape #Digital.) (Saccoccio, Dianalynn) (Entered: 03/16/2005)
03/23/2005	12	MOTION for Excludable Delay to as to Carlos Medinaby USA. (Lang, James) (Entered: 03/23/2005)
03/24/2005		Judge Marianne B. Bowler: Electronic ORDER entered granting 12 Motion to Exclude as to Carlos Medina(1). (Bowler, Marianne) (Entered: 03/24/2005)
04/04/2005		Electronic clerk's notes for proceedings held before Magistrate Judge Marianne B. Bowler: Final status conference for Carlos Medina held on 4/4/2005; James Lang for the govt. and Martin Richey for the deft.; Counsel for deft. requests that the case is returned to the district judge to schedule a pretrial conference; The court will file a final status report forthwith. (Tape #Digital.) (Saccoccio, Dianalynn) (Entered: 04/04/2005)
04/04/2005	13	Magistrate Judge Marianne B. Bowler: ORDER entered; REPORT AND ORDER on Final Status Conference for Carlos Medina (Saccoccio, Dianalynn) (Entered: 04/05/2005)
04/05/2005		Judge update in the case of Carlos Medina; Magistrate Judge Marianne B. Bowler no longer assigned to the case. (Saccoccio, Dianalynn) (Entered: 04/05/2005)
04/06/2005	14	NOTICE OF HEARING as to Carlos Medina: Pretrial Conference set for 4/13/2005 11:00 AM in Courtroom 1 before Judge Douglas P. Woodlock. (Rynne, Michelle) (Entered: 04/06/2005)
04/13/2005		Electronic Clerk's Notes for proceedings held before Judge Douglas P. Woodlock :Pretrial Conference as to Carlos Medina held on 4/13/2005. 3 day Jury trial set

		for 5/31/05 at 9:00 (parties to keep following 2 weeks open also); time from 4/13/05 to 5/31/05 is excluded in the interest of justice. (Court Reporter Pam Owens.) (Rynne, Michelle) (Entered: 04/13/2005)
04/13/2005	<u>15</u>	Judge Douglas P. Woodlock : ORDER entered. PRETRIAL ORDER as to Carlos Medina: Time excluded from 4/13/05 until 5/31/05. Jury Trial set for 5/31/2005 09:00 AM in Courtroom 1 before Judge Douglas P. Woodlock. Pretrial Conference set for 5/31/2005 09:00 AM in Courtroom 1 before Judge Douglas P. Woodlock. (Rynne, Michelle) (Entered: 04/13/2005)
05/12/2005	<u>16</u>	NOTICE OF HEARING as to Carlos Medina: Change of Plea Hearing set for 5/26/2005 02:30 PM in Courtroom 1 before Judge Douglas P. Woodlock. (Rynne, Michelle) (Entered: 05/12/2005)
05/12/2005	•	Terminate Deadlines and Hearings as to Carlos Medina: Jury trial canceled in light of change of plea scheduled for 5/26/05. (Rynne, Michelle) (Entered: 05/12/2005)
05/26/2005	•	Electronic Clerk's Notes for proceedings held before Judge Douglas P. Woodlock :Change of Plea Hearing as to Carlos Medina held on 5/26/2005, Defendant sworn; court conducts colloquy; Plea entered by Carlos Medina (1) Guilty Count 1. Defendant released on conditions previously set. Sentencing set for 8/25/05 at 2:30 pm (Court Reporter Pam Owens.) (Rynne, Michelle) (Entered: 05/26/2005)
05/26/2005	<u>17</u>	Judge Douglas P. Woodlock : ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Carlos Medina: Sentencing set for 8/25/2005 02:30 PM in Courtroom 1 before Judge Douglas P. Woodlock. (Rynne, Michelle) (Entered: 05/26/2005)
08/23/2005	<u>18</u>	MOTION for Extension of Time to 8/23/05 to File

		sentencing memorandum as to Carlos Medina. (Nici, Richard) (Entered: 08/24/2005)
08/23/2005	●20	SENTENCING MEMORANDUM by Carlos Medina (Nici, Richard). FILED UNDER SEAL (Entered: 08/24/2005)
08/25/2005	●	Electronic Clerk's Notes for proceedings held before Judge Douglas P. Woodlock :Sentencing held on 8/25/2005 for Carlos Medina (1), Count(s) 1, Defendant sentenced to TIME SERVED; Supervised Release for a term of 36 months; standard and special conditions; Special assessment of \$100; no fine. (Court Reporter Pam Owens.) (Rynne, Michelle) (Entered: 08/25/2005)
08/25/2005	●21	Judge Douglas P. Woodlock : ORDER entered. JUDGMENT as to Carlos Medina (1), Count(s) 1, Defendant sentenced to TIME SERVED; Supervised Release for a term of 36 months; standard and special conditions; Special assessment of \$100; no fine. (Rynne, Michelle) (Entered: 08/30/2005)
08/25/2005	●22	Judge Douglas P. Woodlock : ORDER entered. STATEMENT OF REASONS as to Carlos Medina. (Rynne, Michelle) (Entered: 08/30/2005)
08/30/2005	●23	NOTICE of Appeal Rights by Carlos Medina (Rynne, Michelle) (Entered: 08/30/2005)
09/27/2005	●24	NOTICE OF APPEAL by USA, USA as to Carlos Medina Filing fee \$ 255. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 10/17/2005. (Lang, James) Additional attachment(s) added on 9/29/2005 (Nici, Richard). (Entered: 09/27/2005)

09/29/2005

- Notice of correction to docket made by Court staff. Correction: docket entry #24 corrected because: document was not electronically signed as to Carlos Medina (Nici, Richard) (Entered: 09/29/2005)